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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 MARKEL INSURANCE COMPANY,

9 Plaintiff,

10 v.

11 GREAT BEGINNINGS CHILD  
12 DEVELOPMENT AND DAY CARE  
CENTER, et al.,

13 Defendants.

CASE NO. C14-5402 BHS

ORDER GRANTING  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT

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15 This matter comes before the Court on Plaintiff Markel Insurance Company's  
16 ("Markel") motion for summary judgment (Dkt. 10).


17 On May 14, 2014, Markel filed a complaint seeking declaratory judgment that it  
18 had no duty to defend or indemnify the named defendants. Dkt. 1. No defendant has  
19 timely appeared or answered.

20 On August 7, 2014, Markel filed a motion for summary judgment. Dkt. 10. No  
21 defendant has responded. On August 29, 2014, Markel replied and submitted evidence  
22 that Defendants agreed not to oppose Markel's motion. Dkt. 12.

1 The Court has reviewed the motion and the remainder of the material on file and  
2 concludes that Markel does not have a duty to defend or indemnify under the agreement  
3 of insurance. Therefore, the Court **GRANTS** Markel's motion for summary judgment.  
4 The Clerk shall enter **JUDGMENT** in favor of Markel against Defendants.

5 **IT IS SO ORDERED.**

6 Dated this 17th day of September, 2014.

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9 BENJAMIN H. SETTLE  
United States District Judge